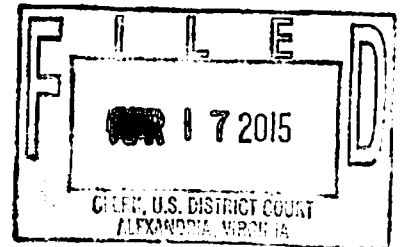


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



LYNDA SALCIDO,)
Plaintiff,)
v.)
MARRIOTT INTERNATIONAL, INC.)
SERVE: Corporate Creations)
Network, Inc., Registered)
Agent,)
6802 Paragon Place, Suite)
410)
Richmond VA 23230;)
HERSHA HOSPITALITY)
MANAGEMENT, L.P.)
SERVE: Corporation Service)
Company, Registered Agent,)
Bank of America Center, 16th)
Floor, 1111 East Main St.,)
Richmond, VA 23219;)
44 ALEXANDRIA HOTEL, LLC)
SERVE: Corporation Service)
Company, Registered Agent,)
Bank of America Center, 16th)
Floor, 1111 East Main St.,)
Richmond, VA 23219;)
&)
44 ALEXANDRIA HOTEL)
MANAGEMENT, LLC)
SERVE: Corporation Service)
Company, Registered Agent,)
Bank of America Center, 16th)
Floor, 1111 East Main St.,)
Richmond, VA 23219,)
Defendants.)

Case No. 15-cv-508

COMPLAINT

1. The Plaintiff, LYNDA SALCIDO (“Ms. Salcido”), by counsel, states as follows in support of her Complaint against the Defendants.

PRELIMINARY STATEMENT

2. Plaintiff brings this action seeking actual and compensatory damages as a result of injuries she sustained while she was a guest of the Defendants’ hotel located at 4641 Kenmore Avenue, Alexandria Virginia, 22304 on April 19, 2013.

PARTIES

3. Ms. Salcido is a natural person and a resident of Mono County, California.

4. Defendant MARRIOTT INTERNATIONAL INC., is a national hotel corporation headquartered Bethesda, MD and registered in Virginia which owns and operates the premises located at 4641 Kenmore Ave., Alexandria Virginia 22304.

5. Defendant HERSHA HOSPITALITY MANAGEMENT L.P. is a property management company headquartered in Pennsylvania and registered in Virginia which contracts for the operation and management of the premises located at 4641 Kenmore Ave., Alexandria Virginia 22304.

6. Defendant 44 ALEXANDRIA HOTEL LLC is a Virginia limited liability company operating as a hotel located at 4641 Kenmore Ave., Alexandria Virginia 22304.

7. Defendant 44 ALEXANDRIA HOTEL MANAGEMENT LLC Virginia limited liability company operating as a hotel located at 4641 Kenmore Ave., Alexandria Virginia 22304.

JURISDICTION

8. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1332.

9. This Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367.

10. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) inasmuch as the incident which forms the basis of Ms. Salcido's claim occurred in this District and Division.

FACTUAL BACKGROUND

11. On April 19, 2012, Ms. Salcido was visiting Virginia on vacation with her family, and staying at the Courtyard Alexandria Pentagon South located at 4641 Kenmore Avenue, Alexandria VA 22304 ("the Premises").

12. Ms. Salcido was paying Defendants for the privilege of residing at the hotel located on the Premises for several days.

13. Defendants owned, operated and maintained the hotel and the Premises where Ms. Salcido was staying as a guest.

14. Defendants had a duty to maintain the Premises in a safe condition for use by guests of the hotel.

15. Defendants further had a duty to inspect the Premises for potentially dangerous conditions and warn guests.

16. On that evening, the weather was rainy and windy, as a significant storm developed in the area, delivering over an inch of rain in a matter of three hours.

17. Ms. Salcido was traveling back from Washington D.C. to the Premises in a taxicab, which dropped her off under the port-cochère at the entrance to the hotel.

18. Prior to Ms. Salcido's arrival that evening, Defendants had pulled up the welcome mats which lay under the port-cochère on the driveway and walkway directly in front of the entrance doors to the hotel.

19. This area is specifically designated for the pickup and drop off of hotel guests, and maintained by Defendants for that purpose.

20. Defendants pulled up the mats because they did not want the strong gusts of wind to blow them away.

21. Because the mats were pulled up, rain had begun to accumulate on the driveway and walkway under the port-cochère at the entrance, creating a dangerously slick walking surface.

22. As Ms. Salcido stepped out of the taxicab and onto the walkway directly in front of the entrance, she immediately slipped and fell, severely injuring her body.

23. Ms. Salcido was not aware of the unsafe condition, and was not warned by the Defendants about same.

24. There was no other warning to the public that the entrance was in an unsafe condition.

COUNT ONE – NEGLIGENCE

25. At the same time and place aforesaid, Defendants owed Ms. Salcido numerous duties, including but not limited to the following:

- a. A duty to maintain the Premises in a reasonably safe condition;
- b. A duty to make reasonable inspections and discover unsafe conditions;
- c. A duty to warn Ms. Salcido about any unsafe conditions which

Defendants knew or should have known about.

26. Notwithstanding these duties, Defendants acted in a careless and negligent manner in numerous regards, including, but not limited to, the following:

- a. Failing to maintain the Premises in a reasonably safe condition;
- b. Failing to make reasonable inspections to determine whether unsafe conditions existed;
- c. Failing to warn Ms. Salcido of any such unsafe conditions known to it, its agents or employees.

27. As a direct and proximate result of Defendants' negligence, Ms. Salcido slipped and fell on the Premises.

28. At all times pertinent hereto, Ms. Salcido exercised ordinary and prudent care while stepping onto and walking on the entryway.

29. As a direct and proximate result of the negligence of Defendants, which directly and proximately caused Ms. Salcido to fall, Ms. Salcido suffered physical injuries and permanent personal injuries and was forced to expend sums for hospital and medical care.

30. As a direct result of said injuries, Ms. Salcido has undergone physical pain and has suffered mental anguish and emotional distress.

31. As a direct result of her injuries, Ms. Salcido was unable to work for a period of time and sustained a loss of income.

WHEREFORE, the Plaintiff, LYNDAL SALCIDO, requests the following relief:

1. For a judgment against Defendants, MARRIOTT INTERNATIONAL INC.; HERSHA HOSPITALITY MANAGEMENT, L.P.; 44 ALEXANDRIA HOTEL LLC; & 44 ALEXANDRIA HOTEL MANAGEMENT LLC, jointly and severally, in the

amount of SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$750,000.00) in compensatory damages;

2. Prejudgment and post-judgment interest;
3. Her costs; and
4. For such other and further relief the Court deems necessary

LYNDA SALCIDO

By: 

Counsel

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